

Exception Criteria to Allow Doe Run Renters to Remain within the Voluntary Property Purchase (VPP) Area

The Department of Natural Resources and the Missouri Attorney General's Office signed a Settlement Agreement with The Doe Run Company in April 2002 which establishes a Voluntary Property Purchase Plan in response to discovery of high incidence of elevated blood-lead near the smelter and a high rate of historic recontamination of soil in properties in close proximity to the smelter. The Settlement Agreement also stipulates that Doe Run shall discontinue renting properties they own prior to December 31, 2004, unless exceptions are approved by the Missouri Department of Natural Resources, in consultation with the Missouri Department of Health and Senior Services (DHSS). Through correspondence with Doe Run, this date has been extended to June 30, 2005.

To qualify for an exception, residents of a household must meet all of the following criteria:

1. Residents must be elderly (65 years old) or disabled residents for whom moving would create a greater threat to physical well-being than that posed by existing exposure to lead.
2. No children in the household under the age of six years for more than 21 days per year.
3. Must be willing to sign a waiver agreeing that:
 - No children ages six and under will reside in the home for more than 21 days per year.
 - All residents have read information provided by the Department of Health and Human Services related to the consequences of lead exposure and understand the information.
 - Residents will hold the state harmless.
 - Residents will not sublet the house.

The above criteria may apply to renters and certain home owners. Residents within the VPP area who desire to sell their home to Doe Run and rent back will be eligible for an exception if they meet the above criteria. Mobile home owners who rent trailer pad space from Doe Run within the VPP area will be eligible for an exception if they meet all of the above criteria.

The department, in coordination with the DHSS, will evaluate these residents on the merits of their individual circumstances including an evaluation of the hardship of having to move versus the potential of long-term lead exposure.

After the DHSS and Missouri Attorney General's Office (AGO) approval of the above conditions and waiver, the department will draft letters to affected residents for the DHSS review. Upon concurrence from the DHSS, the department will send letters with waivers to affected renters and home-owners. The department shall briefly document the reasons for its decision in each case. The Hazardous Waste Program/AGO will prepare a letter to Doe Run providing a list of renter occupancy exceptions.

